IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. WJC No.1098 of 2007
MAHESH PRASAD YADAV
Versus
THE STATE OF BIHAR & ORS
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2 18.11.2008. Heard the parties.

The petitioner claims over plot no. 734, under khata no. 136, area 5 katha 5 dhurs situated at village Raghunathpur Ps Sahebpur Kamal, Begusarai as the same is his ancestral land. He is in possession of the said land which has been confirmed under section 145 Cr.P.C. and this Court in Criminal Revision.

Petitioner submits that in the year 2006 he started construction of a boundary wall over the said land but the same was obstructed by the second party. He made application to the District Magistrate, the Superintendent of Police, Begusarai and the officer in charge of the PS concerned for deputing a Magistrate and a police force. The District Magistrate vide memo no. 374 dated 8.9.2006 deputed Anchaladhikari, Sahebpur Kamal block and the S.D.M., Balia vide order dated 7.9.2006 provided police force for erecting the boundary wall on the said land. Despite all this, no boundary wall has been raised over the land in question.

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The writ petition is disposed of with direction to the petitioner to file an application in respect of providing a Magistrate and the adequate police force for constructing the boundary wall him over the land mentioned above. The respondents would pass appropriate order keeping in view their earlier orders including order dated 8.9.2006 as also the fact that the possession of the petitioner over the land has not been disturbed by any competent civil court.

Shashi. **(S.P.Singh,J).**